

PROPOSED AMENDMENT TO THE TIVERTON CODE OF ORDINANCES

BE IT ORDAINED BY THE TOWN COUNCIL OF TIVERTON, RHODE ISLAND, that Section 10-39 of the Tiverton Code of Ordinances is hereby amended to **ADD** the Following Underlined Language:

Secs. 10-39 Reserved. Care of Dogs

(a) It shall be a violation of this section for an owner or keeper to:

(1) Keep any dog on a permanent tether that restricts movement of the tethered dog to an area less than one hundred thirteen square feet (113 sq. ft.), or less than a six foot (6') radius at ground level.

(2) Tether a dog with a choke-type collar, head collar, or prong-type collar. The weight of any chain or tether shall not exceed one-eighth (1/8) of the dog's total body weight.

(3) Keep any dog tethered for more than ten (10) hours during a twenty-four-hour (24) period or keep any dog confined in an area or primary enclosure for more than fourteen (14) hours during any twenty-four-hour (24) period, and more than ten (10) hours during a twenty-four-hour (24) period, if the area is not greater than that which is required under the most recently adopted version of the department of environmental management's rules and regulations governing animal care facilities.

(4) Tether a dog anytime from the hours of ten o'clock p.m. (10:00 p.m.) to six o'clock a.m. (6:00 a.m.), except for a maximum of fifteen (15) minutes.

(5) Keep any dog outside, either tethered or otherwise confined, when the ambient temperature is beyond the industry standard for the weather safety scale as set forth in the most recent adopted version of the Tufts Animal Care and Condition Weather Safety Scale (TACC).

(b) It shall be a violation of this section for an owner or keeper to fail to provide a dog with adequate feed, adequate water, or adequate veterinary care as those terms are defined in R.I.G.L. § 4-19-2; provided however, that adequate veterinary care may be provided by an owner using acceptable animal husbandry practices.

(c) Exposing any dog to adverse weather conditions strictly for the purpose of conditioning shall be prohibited.

(d) The provisions of this section, as they relate to the duration and timeframe of tethering or confinement, shall not apply:

(1) If the tethering or confinement is authorized for medical reasons in writing by a veterinarian licensed in Rhode Island, the authorization is renewed annually, and shelter is provided;

(2) If tethering or confinement is authorized in writing by an animal control officer, or duly sworn police officer assigned to the animal control division, for the purposes, including, but not limited

to, hunting dogs, dogs protecting livestock, and sled dogs. Written authorization must be renewed annually. The written authorization issued by an animal control officer or duly sworn police officer assigned to the animal control division in the political subdivision of the state where the dogs are kept shall be considered valid in every other political subdivision of the state. The written authorization issued by an animal control officer or duly sworn police officer assigned to the animal control division in the political subdivision of the state where the dogs are kept is revocable by that animal control officer or police officer if there are any conditions present that warrant revocation. The conditions include, but are not limited to, changes in the number or type of dogs, changes in the facility structure or safety, and changes in the health of the dog;

(3) To any entity licensed by the state pursuant to Chapter 19 of Title 4 of the Rhode Island General Laws, or any veterinary facility; or

(4) To an exhibitor holding a class C license under the Animal Welfare Act (7 U.S.C. § 2133) that are temporarily in the state, if authorized by the department of environmental management (DEM);

(e) Any person in violation of this section shall be fined in accordance with Sec. 1-7. Each day of violation shall constitute a separate offense.

(f) General agents or special agents of the Rhode Island Society for the Prevention of Cruelty to Animals (RISPCA) are hereby authorized to enforce the provisions of this chapter in cooperation with animal control officers and the department of environmental management (DEM).

Cross Reference R.I.G.L 4-13-42

Introduced by: Councilor Donna Cook

This Ordinance shall become effective upon passage in accordance with Section 408 of the Tiverton Home Rule Charter